

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed December 30, 2003. The Examiner is thanked for the thorough examination.

In the Office Action, claims 6-13, 15-18 and 20 were allowed while claims 2-5 were objected to as being dependent upon a rejected base claim (claim 1). In response, claim 2 has been placed into independent form to include the limitations of claim 1. Thus, claims 2-5 are in condition for allowance.

Claims 1, 14 and 19 were rejected under 35 U.S.C. §102(b) as being anticipated by Wirkestrand (WO 99/37073). As the Examiner is aware, in order to anticipate a claim under §102(b), Wirkestrand must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in the civil prior art reference." See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d, 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that a *prima facie* case of anticipation has not been established.

Upon review, Wirkestrand does not describe each and every element set forth in original claims 1, 14 and 19. As one example of such lack of teaching, the Office Action states that the server node, as set forth in the limitation "sending a request...to a server node," is equivalent to the DNS server. See *paragraph 3, lines 4-7 of the Office Action*. However, later in the analysis of the alleged teaching of "sending a response to the request...to the server node," the server node is improperly construed as a DHCP server, not as the DNS server. See *paragraph 3, lines 10-12 of the Office Action*. Due to this inconsistent interpretation of the "server node," a *prima facie* case of anticipation has not been established.

In light of the foregoing, withdrawal of the §102(b) rejection is respectfully requested.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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